

# PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles E. Roberts, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 255.1. (238.2) side yard setbacks and a rear yard setback of 6 feet each in lieu of the required 30 feet

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Strict compliance with the Regulations would cause the Petitioner practical difficulty and unreasonable hardship primarily because of the lot in question being only 50 feet wide and, therefore, incapable of being developed with 30 foot side yard setback requirements as well as a depth which makes it practically difficult and unreasonably hard to provide sensible and orderly parking without the requested variance. The orderly and reasonable development of the property is, therefore, virtually impossible without the requested variance.

2. That the requested variances are in spirit and harmony with the Zoning Regulations and will in no way affect the public health, safety and general welfare of the area involved, but will, in fact, be of benefit to the area.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of June, 1978, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 21st day of August, 1978, at 10:45 o'clock A.M.

Very truly yours,  
Zoning Commissioner of Baltimore County.

Very truly yours,  
Charles E. Roberts  
Legal Owner  
Address: 14157 Falls Road  
Lutherville, MD 21093

Very truly yours,  
Nicholas B. Commodari  
Chairman  
Address: 305 West Chesapeake Avenue  
Towson, MD 21204

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 8, 1980

COUNTY OFFICE BLDG.  
111 M. Chesapeake Ave.  
Towson, Maryland 21204

cc: Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

R. Bruce Alderman, Esquire  
305 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Item No. 235  
Petitioner - Charles E. Roberts  
Variance Petition

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

This currently unimproved property, zoned M.L.-I.M., is located on the northeast side of Beaver Dam Road just south of Cockeysville Road in the 8th Election District. Adjacent properties are similarly zoned and are improved with an office/warehouse building to the north, the Ward Machinery Company to the south and the Limestone Dinner Theatre to the west across Beaver Dam Road.

Because of your client's proposal to construct an office building on this narrow piece of property within six feet of the sides and rear property lines, this Variance is required.

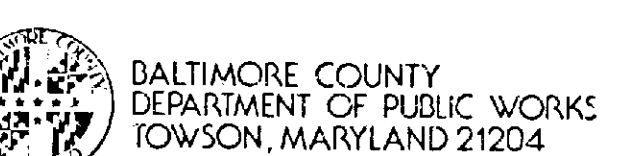
Particular attention should be afforded to the comments of the Office of Current Planning, concerning the possibility of sharing access with the Ward Machinery Company. This possibility should be explored and discussed fully at the time of the scheduled hearing.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMODARI, Chairman  
Zoning Plans Advisory Committee

ENCLOSURE  
cc: Lapicki/Smith Associates  
617 Park Ave  
Baltimore, Md. 21201



HARRY J. PISTEL, P.E.  
DIRECTOR

July 14, 1980

Mr. William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

RE: Item #235 (1979-1980)  
Property Owner: Charles E. Roberts  
N/ES Beaver Dam Rd. 205.79' S/E Cockeysville Rd.  
Existing Zoning: M.L.-I.M.  
Proposed Zoning: Variance to permit side and rear setbacks of 6' in lieu of the required 30' each.  
Acres: 0.122 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### Highways:

Beaver Dam Road, a recently reconstructed County road in this vicinity, is improved generally as a 50-foot closed section on a 70-foot right-of-way, expanded as indicated for the channelized intersection with Cockeysville Road (Drawings #74-0095 and 0096, File 5). No further highway improvements are proposed at this location at this time.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

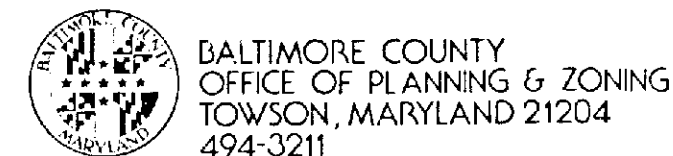
### Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

### Storm Drains:

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.



JOHN D. SEYFFERT  
DIRECTOR

July 2, 1980

Mr. William Hammond, Zoning Commissioner  
Zoning Advisory Committee  
Office of Planning and Zoning  
Baltimore, County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #235, Zoning Advisory Committee Meeting, May 21, 1980, are as follows:

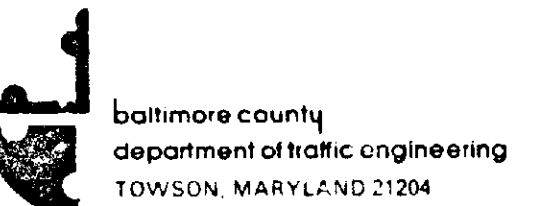
Property Owner: Charles E. Roberts  
Location: NE/S Beaver Dam Rd. 205.79' SE Cockeysville Rd.  
Acres: 0.122  
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

It is suggested that the access to the property be from the adjoining property. However, if this is not possible, the driveway must meet County standards as to width.

Very truly yours,

John L. Wimbley  
John L. Wimbley  
Planner III  
Current Planning and Development



STEPHEN E. COLLINS  
DIRECTOR

June 12, 1980

Mr. William Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 235 - ZAC - May 27, 1980  
Property Owner: Charles E. Roberts  
Location: NE/S Beaver Dam Road, 205.79' SE Cockeysville Rd.  
Existing Zoning: M.L.-I.M.  
Proposed Zoning: Variance to permit side and rear setbacks of 6' in lieu of the required 30' each.

Acres: 0.122  
District: 8th

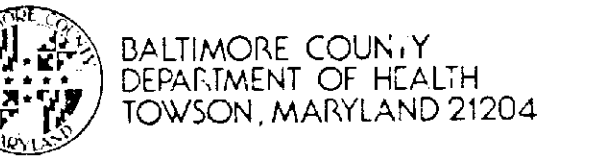
Dear Mr. Hammond:

The requested variances to the side and rear setbacks are not expected to cause any traffic problems.

Very truly yours,

Michael S. Flanagan  
Michael S. Flanagan  
Engineer Associate II

MSF/hmd



DONALD J. ROOP, M.D., M.P.H.  
DEPUTY STATE & COUNTY HEALTH OFFICER

July 12, 1980

Mr. William E. Hammond, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #235, Zoning Advisory Committee Meeting of May 21, 1980, are as follows:

Property Owner: Charles E. Roberts  
Location: N/ES Beaver Dam Rd. 205.79' SE Cockeysville Rd.  
Existing Zoning: M.L.-I.M.  
Proposed Zoning: Variance to permit side and rear setbacks of 6' in lieu of the required 30' each.  
Acres: 0.122  
District: 8th

Metropolitan water and sewer are available, therefore, no health hazards are anticipated.

Very truly yours,  
BUREAU OF ENVIRONMENTAL SERVICES

Item #235 (1979-1980)  
Property Owner: Charles E. Roberts  
Page 2  
July 14, 1980

### Water and Sanitary Sewer:

There is a public 16-inch water main and 8-inch public sanitary sewerage in Beaver Dam Road. Service connections must be in accordance with Baltimore County Standards and Specifications.

Very truly yours,

ELLSWORTH W. DIVER, P.E.  
Chief, Bureau of Engineering

END:RAM:FWR:SS

cc: J. Wimbley  
H. Flanagan

V-SE Key Sheet  
66 NW 7 & 8 Pos. Sheets  
NW 17 B Topo  
51 Tax Map

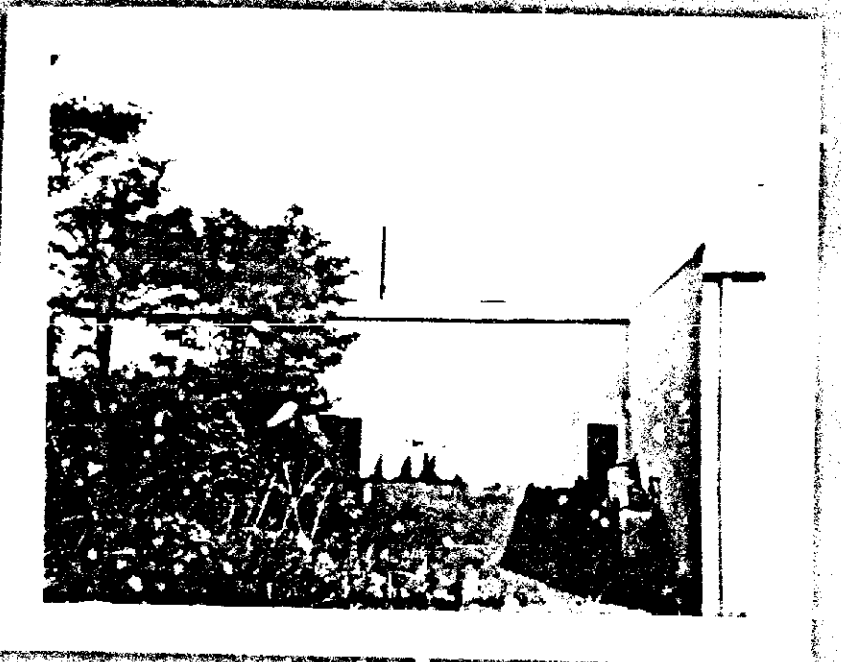
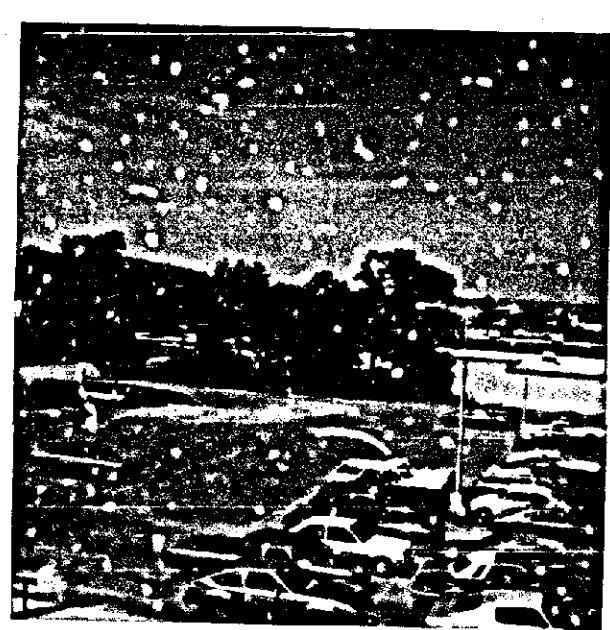








Prot. Exp 1  
8 photo...



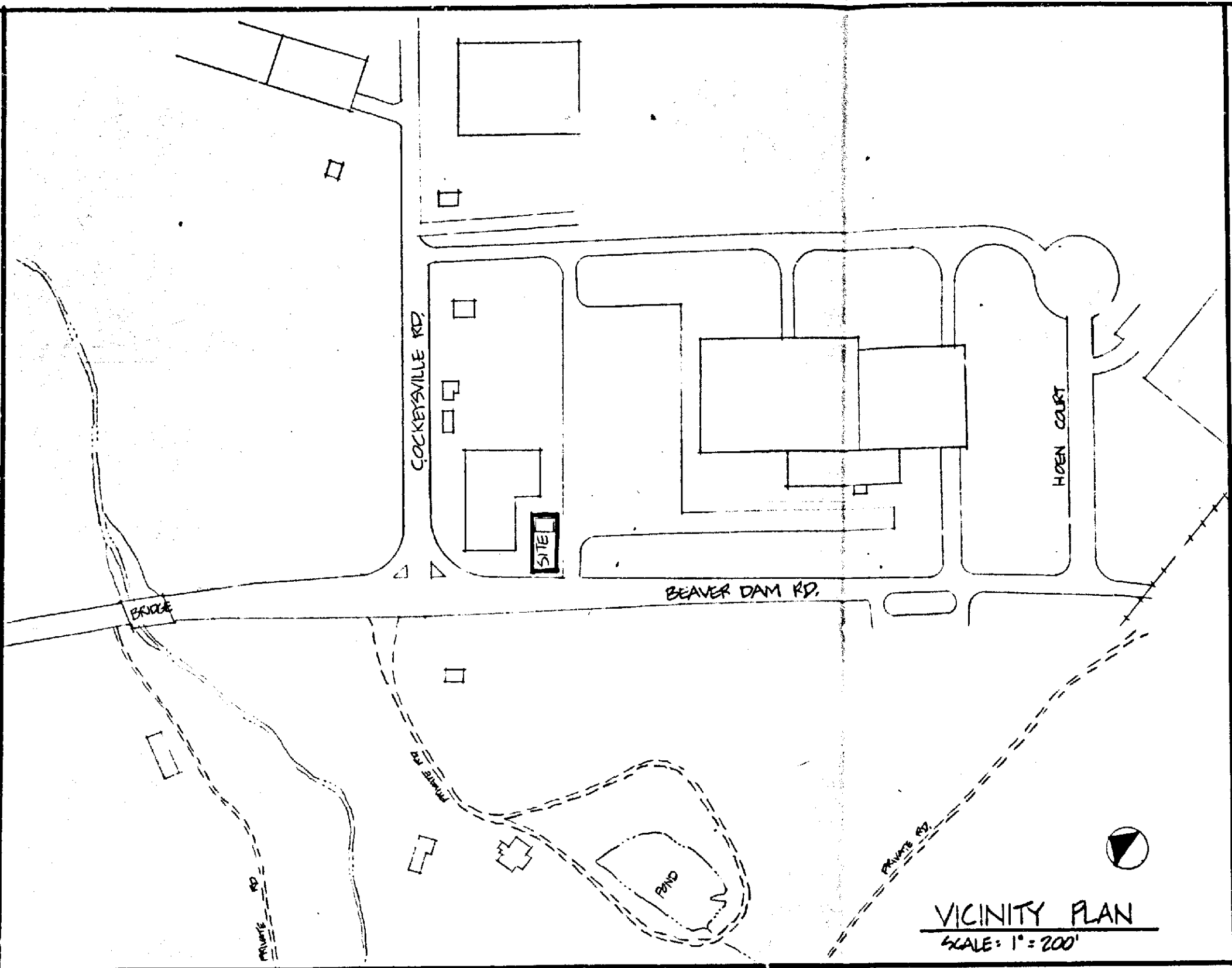




4

13-18 SW



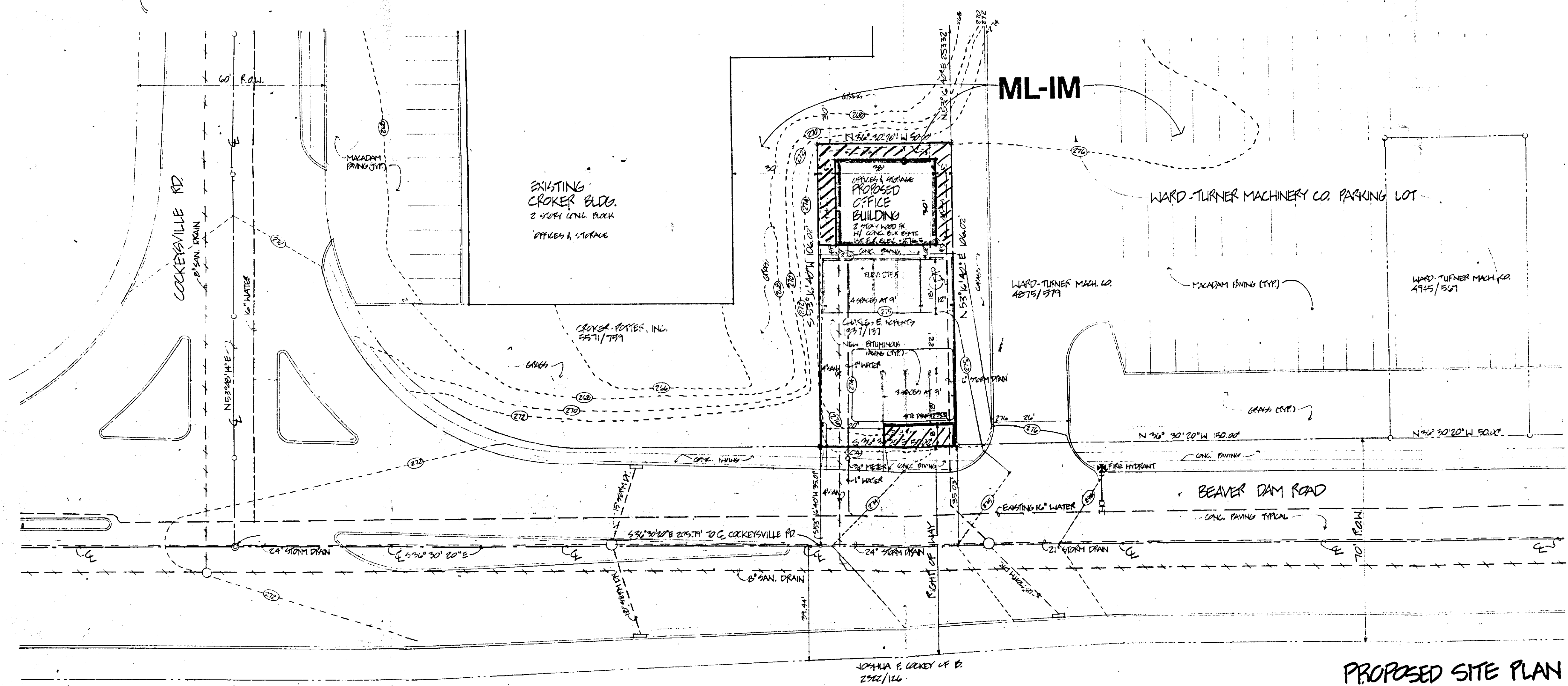


**PARKING SUMMARY**

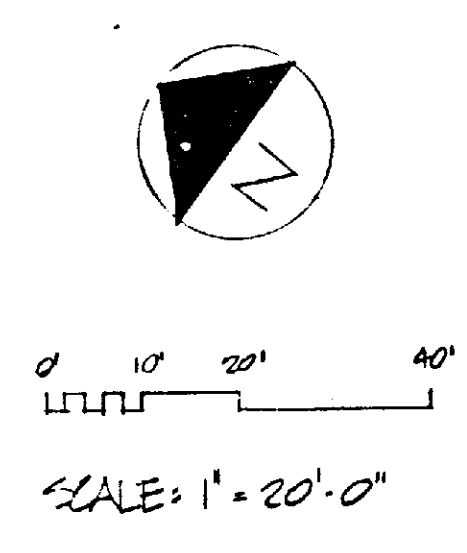
4TH FLOOR OFFICES	1140 SF	3.8 SPACES REQ'D
2ND FLOOR OFFICES	1140 SF	2.3 SPACES REQ'D
3RD FLOOR OFFICES	1140 SF	0 SPACES REQ'D
TOTAL	3420 SF	6.1 SPACES REQ'D
		8 SPACES PROVIDED

**PLAT FOR ZONING PURPOSES**

EXISTING SITE AREA: 0.122 ACRES  
THIS APPLICATION:  
VARIANCE FOR SIDE & REAR YARD SETBACKS FROM  
30' TO 0'



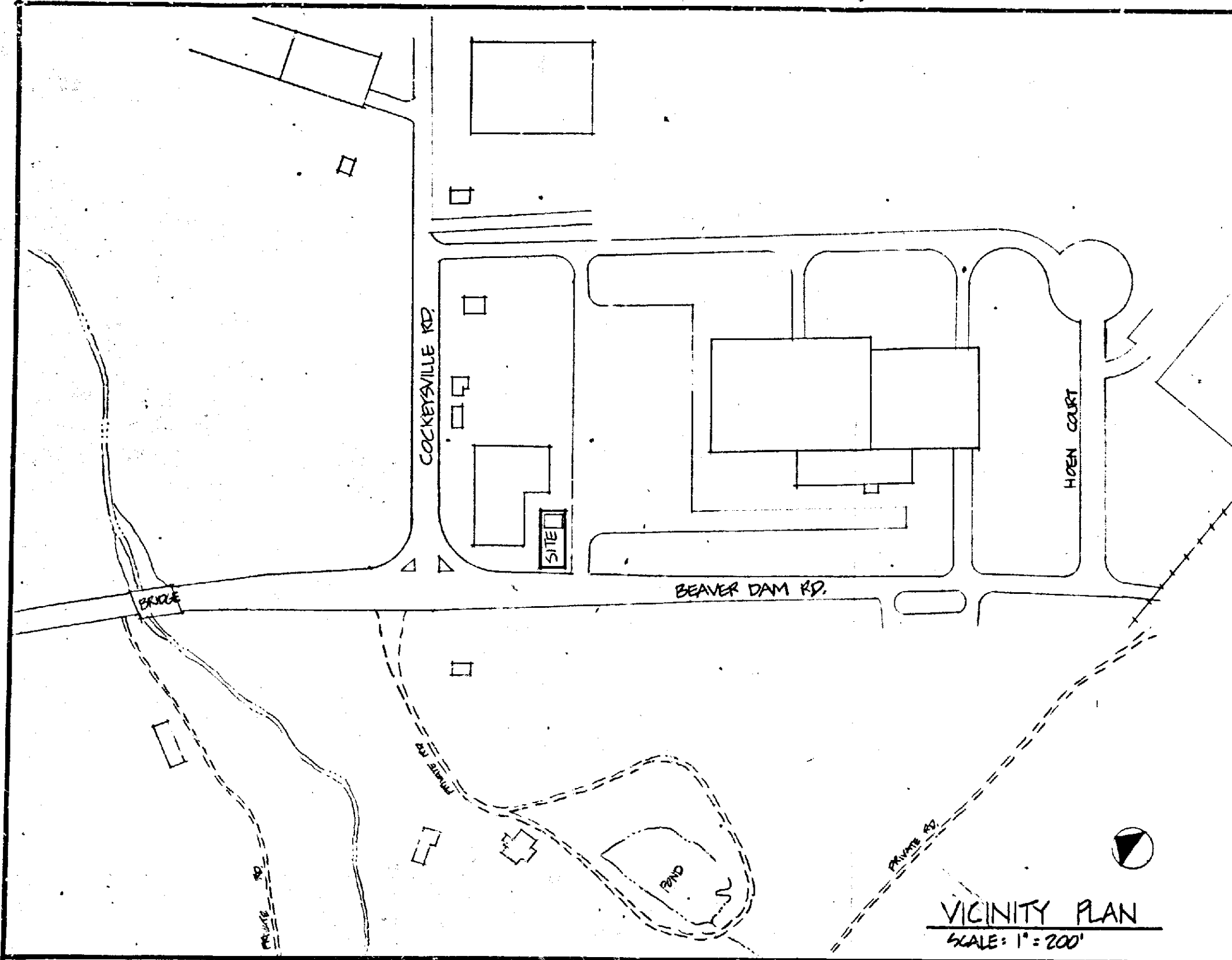
- ① LIGHT FIXTURE TO BE NOT MORE THAN 8' HIGH. GLASS TO BE SEPARATED TO WITHIN PROPERTY LINES. ARROW DENOTES DIRECTION.
- EXISTING CURB
- NEW CURB



lapicki/smith associates  
617 park avenue  
baltimore, maryland 21201  
301 686-4900

**OFFICE BUILDING**  
10717 BEAVER DAM RD.

U/A 80.09  
**SP-1**  
23 APRIL 1980

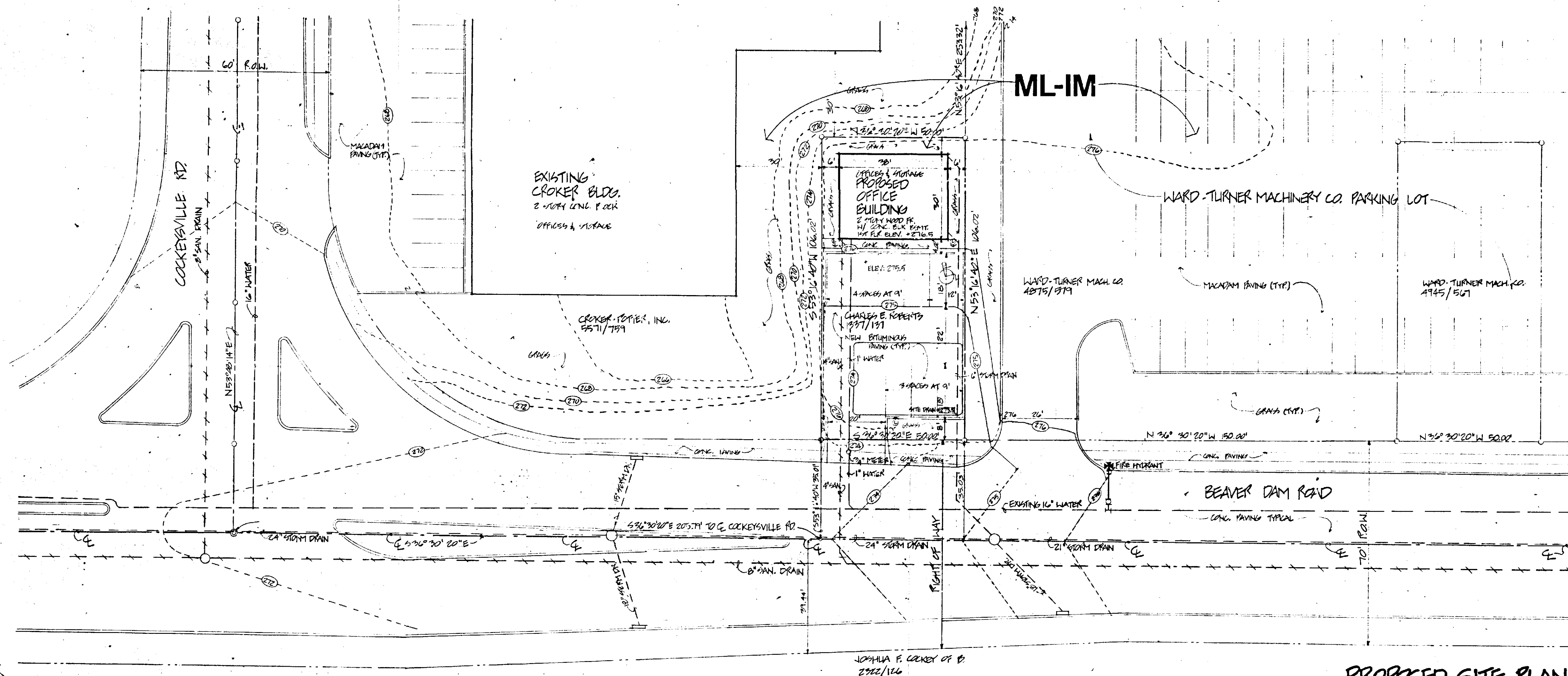


#### PARKING SUMMARY

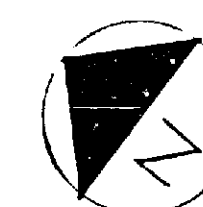
1ST FLR (OFFICES)	1140 SF	3.8 SPACES REQ'D
2ND FLR (OFFICES)	1140 SF	2.3 SPACES REQ'D
BUMT. (STORAGE)	1140 SF	0 SPACES REQ'D
		6.1 SPACES REQ'D
		8 SPACES PROVIDED

#### PLAT FOR ZONING PURPOSES

EXISTING SITE AREA: 0.122 ACRES  
THIS APPLICATION:  
VARIANCE FOR SIDE & REAR YARD SETBACKS FROM  
30' TO 6'



- ① LIGHT FIXTURE TO BE NOT MORE THAN 8' HIGH. GLASS TO BE TRANSPARENT TO WITHIN PROPERTY LINES. ARROW DENOTES DIRECTION.
- EXISTING CONTOURS
- NEW CONTOURS



0 10 20 40  
SCALE: 1" = 20'-0"

MAP  
DATE  
PROJECT  
BY  
DATE  
BY

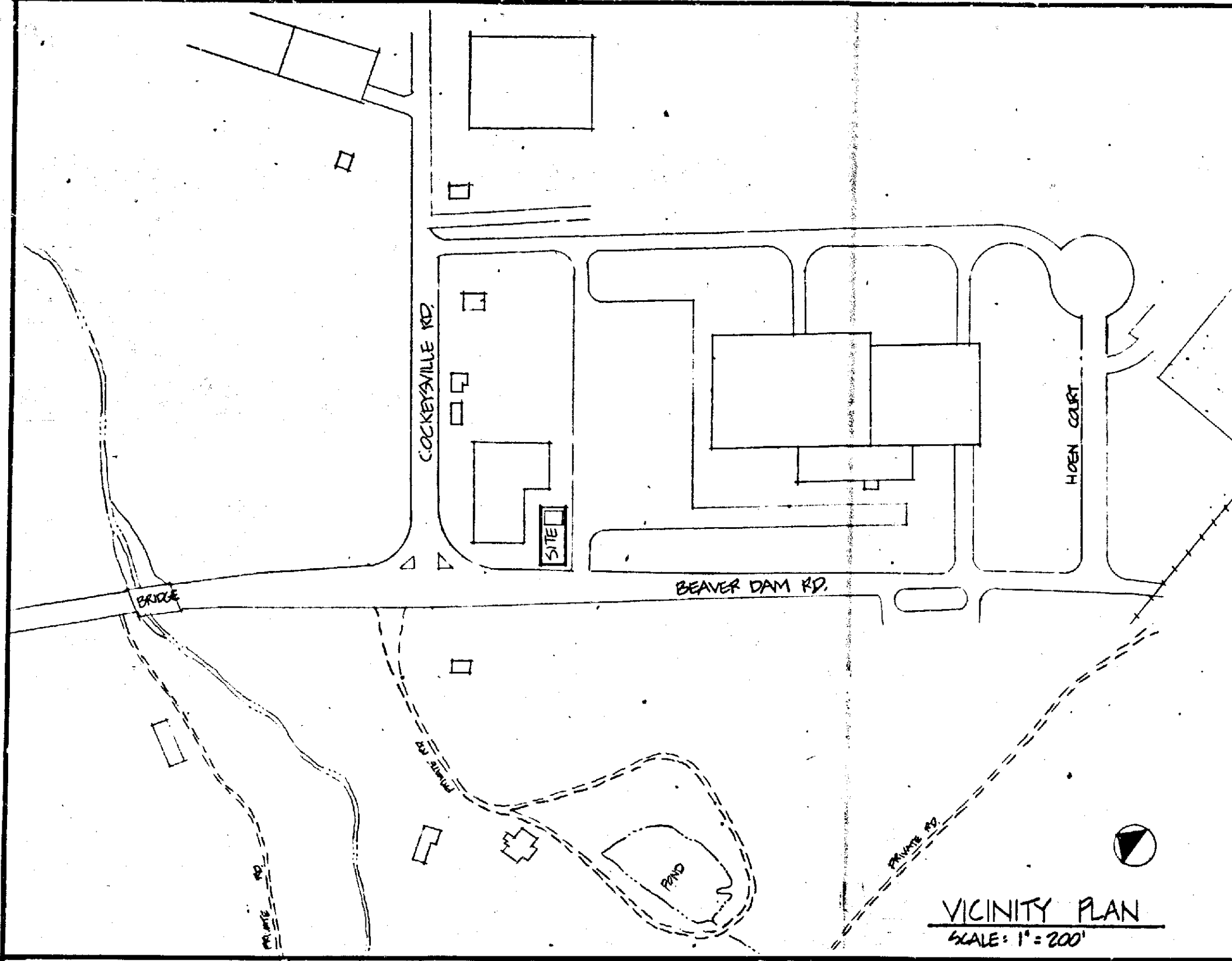
lapicki/smith associates  
617 Park Avenue  
Baltimore, Maryland 21201  
301 855-4900

OFFICE BUILDING  
10717 BEAVER DAM RD.

LHA 80.08

SP-1

29 APRIL 1980

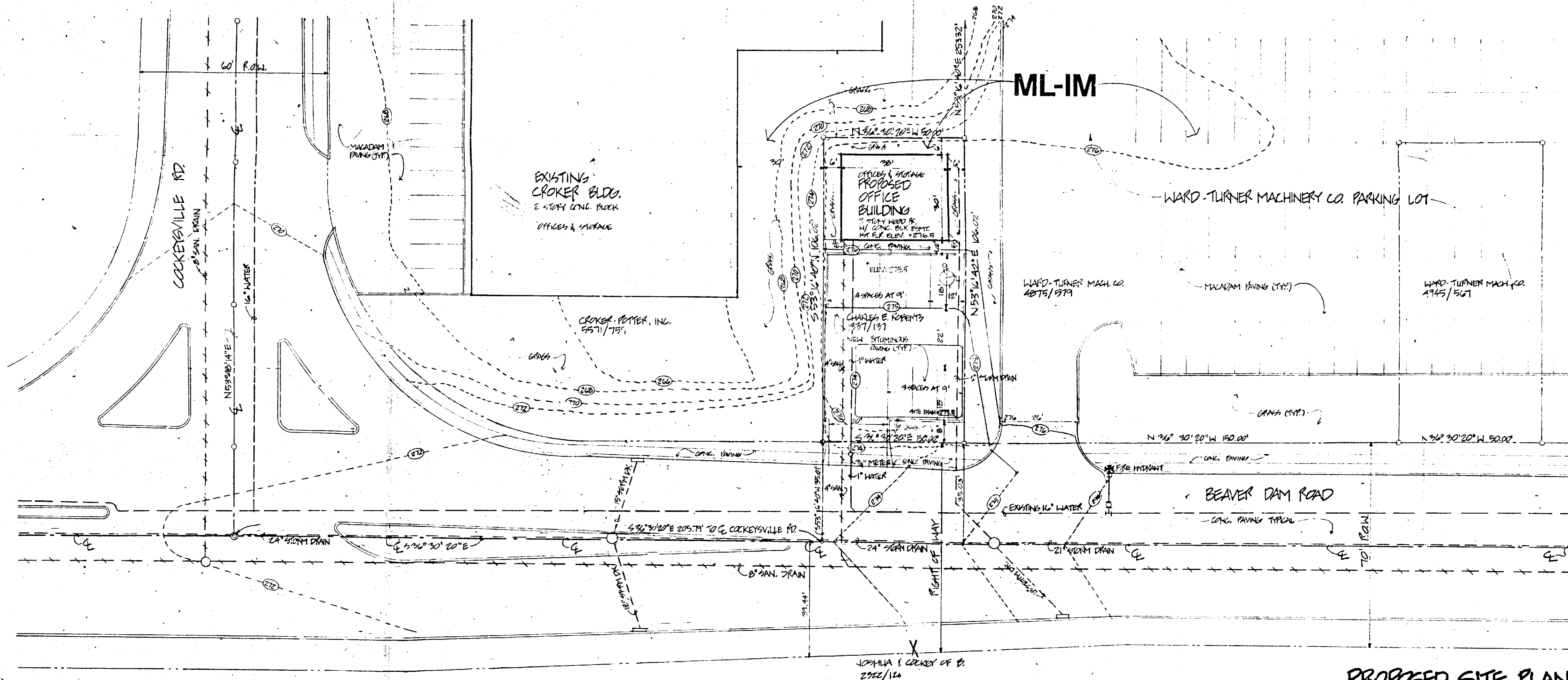


#### PARKING SUMMARY

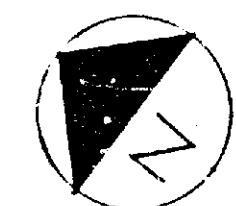
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2ND FLR (OFFICES)	1140 SF	2.3 SPACES REQ'D
SUMT. (STORAGE)	1140 SF	0 SPACES REQ'D
		6.1 SPACES REQ'D
		8 SPACES PROVIDED

#### PLAT FOR ZONING PURPOSES

EXISTING SITE AREA: 0.122 ACRES  
THIS APPLICATION:  
VARIANCE FOR SIDE & REAR YARD SETBACKS FROM  
30' TO 0'



- ① LIGHT FIXTURE TO BE NOT MORE THAN 8' HIGH. GLASS TO BE RESTRICTED TO WITHIN PROPERTY LINES. ARROW DENOTES DIRECTION.
- — — — — EXISTING CONTOURS
- ○ ○ ○ ○ NEW CONTOURS



0 10 20 40  
SCALE: 1" = 20'-0"

lapicki/smith associates

OFFICE BUILDING  
10717 BEAVER DAM RD.

1/14/80

SP-1

23 APRIL 1980









BALTIMORE COUNTY  
FIRE DEPARTMENT  
TOWSON, MARYLAND 21204  
825-7310

PAUL H. REINCKE  
CHIEF

August 5, 1980

Mr. William Hammond  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

Re: Property Owner: Charles E. Roberts

Location: NE/S Beaver Dam Road 205.79' SE Cockeysville Rd.

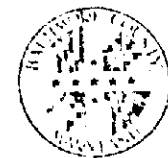
Item No: 235 Zoning Agenda: Meeting of 5/27/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (xx) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Paul H. Reincke Noted and  
Planning Group Approved: George M. Wegman  
Special Inspection Division Fire Prevention Bureau



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

August 8, 1980

R. Bruce Alderman, Esquire  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Variance  
NE/S Beaver Dam Rd., 205.70'  
SE of Cockeysville Rd.  
Charles E. Roberts - Petitioner  
Case No. 81-39-A

Dear Mr. Alderman:

This is to advise you that \$70.88 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond  
WILLIAM E. HAMMOND  
Zoning Commissioner

WEH:sj

PROPERTY OF CHARLES E. ROBERTS  
LOCATED AT 10717 BEAVER DAM ROAD  
IN THE EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY  
TAX MAP 51 BLOCK 3 PARCEL 251

BEGINNING for the same on the Northeast side of Beaver Dam Road (variable width as described on position sheet No. V-SE 66 NW8 of the Baltimore County Department of Public Works) at a distance of 205.79 feet Southeasterly from the centerline of Cockeysville Road, and at a distance of 35.01 feet from the centerline of Beaver Dam Road. Thence binding on the Northeast side of Beaver Dam Road running a course (1) S36° 30' 20" E a distance of 50.00 feet to a point of intersection with the eleventh line of a lot conveyed by Ward B. Coe, Marguerite H. Coe, Leroy Y. Halle, Lillian S. Halle, Frank W. Proctor and Gladys B. Proctor to Charles E. Roberts and Hester J. Roberts by deed dated 16 March, 1944 and recorded among the land records of Baltimore County in Liber RJS No. 1337, folio 137. Thence binding with the eleventh and twelfth lines of said deed the following courses and distances: (2) N53° 16' 40" E a distance of 106.02 feet; and (3) N36° 30' 20" W a distance of 50.00 feet. Thence leaving said line and running a course S53° 16' 40" W a distance of 106.02 feet to the point of beginning.

BEING that same parcel of land which was laid out on a plat of Sherwood Park Estate and identified as Lot No. 3 which plat is recorded among the Plat Records of Baltimore County in Plat Book J.W.S. No. 2 folio 64 dated 11 November 1885.

CONTAINING 0.122 acres more or less and located in the Eighth Election District of Baltimore County in the State of Maryland.

W. LEE THOMAS, P.A.  
ATTORNEY AT LAW  
SUIII 101  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

April 3, 1981

County Board of Appeals  
Room 219  
Court House  
Towson, MD 21204

Re: Case No. 81-39-A  
Petitioner - Charles E. Roberts  
Protestant - The Ward Machinery Co.  
Hearing Date: Tuesday, July 7, 1981  
10 A.M.

Gentlemen:

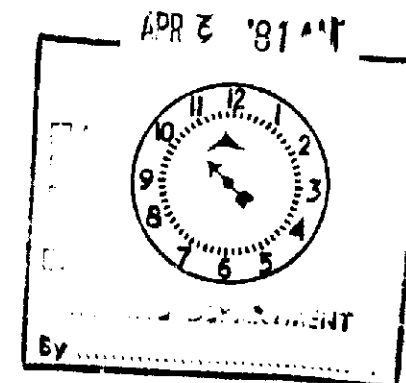
Please dismiss the above-referenced appeal taken by my client, The Ward Machinery Co.

Very truly yours,

David A. Wilson  
David A. Wilson

DAW:ljl

cc: R. Bruce Alderman, Esquire  
Honorable William E. Hammond  
Mr. J. E. Dyer  
Mr. N. E. Gerber  
Mr. J. Hoswell  
John W. Hessian, III, Esquire  
The Ward Machinery Co.



# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond  
Zoning Commissioner  
John D. Seyffer, Director  
Office of Planning and Zoning  
Date: July 29, 1980  
TO: \_\_\_\_\_  
FROM: \_\_\_\_\_  
SUBJECT: Petition No. 81-39-A Item 235

Petition for Variances for side and rear yard setback.  
Northeast side of Beaver Dam Road, 205.70 feet Southeast of Cockeysville Road  
Petitioner- Charles E. Roberts

Eighth District

HEALINC: Thursday, August 21, 1980 (10:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

John D. Seyffer  
John D. Seyffer, Director  
Office of Planning and Zoning

JDS.JGH:ab

July 21, 1980

R. Bruce Alderman, Esquire  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

## NOTICE OF HEARING

RE: Petition for Variance - NE/S Beaver Dam Road, 205.79'  
SE of Cockeysville Road - Charles E. Roberts  
Case No. 81-39-A

TIME: 10:45 A.M.

DATE: Thursday, August 21, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

John D. Seyffer  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

cc: Clark F. MacKenzie  
10807 Falls Road  
Lutherville, Maryland 21093

W. LEE THOMAS, P.A.

Honorable William E. Hammond

October 2, 1980

## Certificate of Mailing

I hereby certify that on this 2nd day of October, 1980, a copy of the foregoing Notice of Appeal was mailed, postage prepaid, to R. Bruce Alderman, Esquire, 305 W. Chesapeake Avenue, Towson, Maryland 21204, attorney for the Petitioner, Charles E. Roberts, and to John W. Hessian, III, Esquire, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, People's Counsel.

David A. Wilson  
David A. Wilson



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

WILLIAM E. HAMMOND  
ZONING COMMISSIONER

September 17, 1980

R. Bruce Alderman, Esquire  
305 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Variances  
NE/S of Beaver Dam Rd., 205.70' SE  
of Cockeysville Rd. - 8th Election District  
Charles E. Roberts - Petitioner  
NO. 81-39-A (Item No. 235)

Dear Mr. Alderman:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

John M. H. Jung  
JOHN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: David A. Wilson, Esquire  
Suite 314  
409 Washington Avenue  
Towson, Maryland 21204

John W. Hessian, III, Esquire  
People's Counsel



W. LEE THOMAS  
DAVID A. WILSON

W. LEE THOMAS, P.A.  
ATTORNEYS AT LAW  
SUITE 314  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

AREA CODE 301  
296-6777

October 2, 1980

Honorable William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

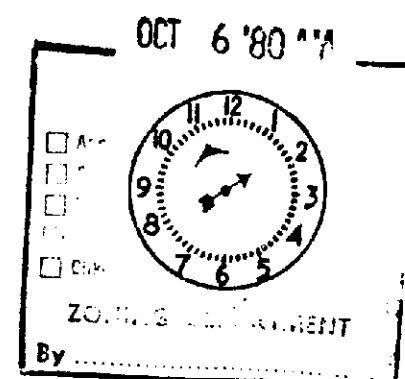
Re: Petition for Variances NE/S  
Beaver Dam Road, 205.70' SE  
of Cockeysville Road - 8th  
Election District;  
Charles E. Roberts - Petitioner  
No. 81-39-A (Item No. 235);  
Notice of Appeal

Mr. Commissioner:

Please note the appeal of The Ward Machinery Company,  
10615 Beaver Dam Road, Cockeysville, Maryland 21030, from  
the Order passed in the above-referenced proceeding on  
September 17, 1980 granting the variances requested by the  
Petitioner.

A check in the amount of \$35.00, payable Baltimore  
County, Maryland, is enclosed herewith for the costs of  
this appeal.

*David A. Wilson*  
David A. Wilson, Attorney for  
The Ward Machinery Company  
Suite 314, 409 Washington Ave.  
Towson, Maryland 21204  
296-6777



494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204

March 18, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT  
REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN  
STRICT COMPLIANCE WITH BOARD RULE 2 b). ABSOLUTELY NO POSTPONE-  
MENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEAR-  
ING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-39-A

CHARLES E. ROBERTS

For VARIANCE from Section 255.1 to permit side  
yard setbacks and rear yard setback of 6' each in  
lieu of the required 30'

NE/S Beaver Dam Rd. 205.70' SE Cockeysville Rd.

8th District

17/80 - D.Z.C. GRANTED PETITION

ASSIGNED FOR:

TUESDAY, JULY 7, 1981 at 10 a.m.

cc: R. Bruce Alderman, Esq.

Counsel for Petitioner

Mr. Charles E. Roberts

Petitioner

David A. Wilson, Esq.

Counsel for Protestants

John W. Hession, III, Esq.

People's Counsel

Mr. J. E. Dyer

Mr. N. E. Gerber

Mr. J. Hoswell

Edith T. Eisenhart, Adm. Secretary

3/18/81 - Notified of appeal hearing scheduled for TUESDAY, JULY 7, 1981 at 10 a.m.

R. Bruce Alderman, Esq.  
Charles E. Roberts  
David A. Wilson, Esq.  
John W. Hession, III, Esq.  
Mr. J. E. Dyer  
Mr. W. E. Hammond  
Mr. N. E. Gerber  
Mr. J. Hoswell

494-3180

County Board of Appeals  
Room 219, Court House  
Towson, Maryland 21204  
April 7, 1981

David A. Wilson, Esq.  
Suite 314 - 409 Washington Ave.  
Towson, Md. 21204

Re: Case No. 81-39-A  
Charles E. Roberts

Dear Mr. Wilson:

Enclosed herewith is a copy of the Order of Dismissal passed  
today by the County Board of Appeals in the above entitled case.

Very truly yours,

*June Holmen*  
June Holmen, Secy.

Encl.

cc: Mr. Charles E. Roberts  
R. Bruce Alderman, Esq.  
J. W. Hession, Esq.  
J. E. Dyer  
William Hammond  
Jean Jung  
N. E. Gerber  
J. Hoswell

W. LEE THOMAS  
DAVID A. WILSON

W. LEE THOMAS, P.A.  
ATTORNEYS AT LAW  
SUITE 314  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

AREA CODE 301  
296-6777

October 2, 1980

Honorable William E. Hammond  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

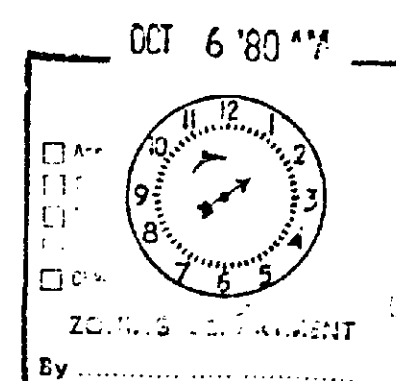
Re: Petition for Variances NE/S  
Beaver Dam Road, 205.70' SE  
of Cockeysville Road - 8th  
Election District;  
Charles E. Roberts - Petitioner  
No. 81-39-A (Item No. 235);  
Notice of Appeal

Mr. Commissioner:

Please note the appeal of The Ward Machinery Company,  
10615 Beaver Dam Road, Cockeysville, Maryland 21030, from  
the Order passed in the above-referenced proceeding on  
September 17, 1980 granting the variances requested by the  
Petitioner.

A check in the amount of \$35.00, payable Baltimore  
County, Maryland, is enclosed herewith for the costs of  
this appeal.

*David A. Wilson*  
David A. Wilson, Attorney for  
The Ward Machinery Company  
Suite 314, 409 Washington Ave.  
Towson, Maryland 21204  
296-6777



W. LEE THOMAS, P.A.

Honorable William E. Hammond

October 2, 1980

Certificate of Mailing

I hereby certify that on this 2nd day of October, 1980,  
a copy of the foregoing Notice of Appeal was mailed, postage  
prepaid, to R. Bruce Alderman, Esquire, 305 W. Chesapeake Avenue,  
Towson, Maryland 21204, attorney for the Petitioner, Charles E.  
Roberts, and to John W. Hession, III, Esquire, 102 W. Pennsylvania  
Avenue, Towson, Maryland 21204, People's Counsel.

*David A. Wilson*  
David A. Wilson

W. LEE THOMAS, P.A.  
ATTORNEYS AT LAW  
SUITE 314  
409 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

AREA CODE 301  
296-6777

April 3, 1981

County Board of Appeals  
Room 219  
Court House  
Towson, MD 21204

Re: Case No. 81-39-A  
Petitioner - Charles E. Roberts  
Protestant - The Ward Machinery Co.  
Hearing Date: Tuesday, July 7, 1981  
10 A.M.

Gentlemen:

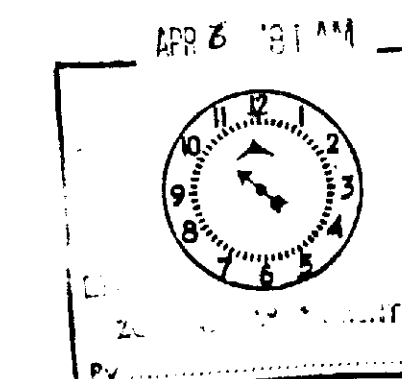
Please dismiss the above-referenced appeal taken  
by my client, The Ward Machinery Co.

Very truly yours,

*David A. Wilson*  
David A. Wilson

DAW:lj1

cc: R. Bruce Alderman, Esquire  
Honorable William E. Hammond  
Mr. J. E. Dyer  
Mr. N. E. Gerber  
Mr. J. Hoswell  
John W. Hession, III, Esquire  
The Ward Machinery Co.



PETITION FOR VARIANCES  
8th District

ZONING: Petition for Variances for side and rear yard setbacks  
LOCATION: Northeast side of Beaver Dam Road, 205.70 feet Southeast  
of Cockeysville Road  
DATE & TIME: Thursday, August 21, 1980 at 10:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act  
and Regulations of Baltimore County, will hold a public hearing:

Petition for Variances to permit side yard  
setbacks and rear yard setback of 6 feet each  
in lieu of the required 30 feet

The Zoning Regulations to be excepted as follows:

Section 255.2 - Area Regulations  
Section 238.2 - Side and rear yard setbacks

All that parcel of land in the Eighth District of Baltimore County

Being the property of Charles E. Roberts, as shown on plat plan filed with  
the Zoning Department

Hearing Date: Thursday, August 21, 1980 at 10:45 A.M.  
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake  
Avenue, Towson, Maryland

BY ORDER OF  
WILLIAM E. HAMMOND  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



RESUME OF  
CLARK F. MACKENZIE

BUSINESS ADDRESS: 10807 Falls Road - Suite 301  
Lutherville, Maryland 21093  
(301) 821-8585

HOME ADDRESS: Box 58, Gadd Road  
Cockeysville, Maryland 21030

MARITAL STATUS: Married, Four Children

BIRTH DATE: March 11, 1941

GRADUATE: High School - Lawrenceville School,  
Lawrenceville - N.J.  
College - The University of Virginia,  
Bachelor of Science in Finance (June, 1963)

BUSINESS EDUCATION: Real Estate Courses Taken and Passed:  
American Institute of Real Estate Appraisers  
Course I, Theories and Principles  
June, 1964, University of Virginia  
Course II, Real Estate Appraisal Problems  
July, 1964, University of Virginia  
Course IV, Condemnation  
March, 1966, University of Georgia  
Real Estate Board of Baltimore City  
Examination III, Rural Properties  
September, 1968  
Johns Hopkins Evening College:  
Introduction to Commercial and Industrial  
Real Estate  
Real Estate Management  
Real Estate Law  
Investment Banking  
American University:  
Ninth Institute on Tax Planning in  
Real Estate  
Real Estate Seminars:  
Condemnation Seminar, Oct., 1972  
(Developer's Viewpoint) Presented by  
The Society of Real Estate Appraisers  
Condemnation Seminar, Oct., 1973 (Mock Trial)  
July, 1962, Obtained Real Estate License  
State of Maryland

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October 1, 1979

BUSINESS BACKGROUND:

Sept., 1963, joined County Appraisers, Inc., as Real Estate Appraiser. This Company specialized in Condemnation Appraisals in Baltimore County, Md. Completed various appraisal courses and in later years was Chief Appraiser for the Firm. March, 1968, Purchased the Assets of County Appraisers, Inc. and changed name to Metropolitan Appraisal Services, Inc. April, 1968 - Dec. 1972, during this period several commercial properties were developed and the Real Estate Brokerage Firm of MacKenzie & Associates, Inc., was created. Jan., 1973 to Present, MacKenzie & Associates Inc., merged the interests of both Metropolitan Appraisal Services and Metropolitan Management Services, Inc. Clark F. MacKenzie serves as the President of this Company composed of 7 additional employees. Mr. MacKenzie has developed the following projects either singly or with other partners. All have existing permanent mortgages which must be subtracted to get the net value to the partnership.

PROJECT NAME	DESCRIPTION	FAIR MARKET VALUE
<b>Residential:</b>		
STILLPOND	44 - 2½ story condominiums	\$1,600,000.
THE BEECHES	61 - 1 and 2 story condominiums with basements	\$4,300,000.
STONE OAKS	40 - 2 story condominiums with basements	\$1,650,000.
GREENCROFT	79 Large Lot Subdivision - 252 acres	\$2,150,000.
<b>Commercial:</b>		
RIDGELEY PLAZA*	24,500 sq.ft. shopping center with 18 tenants	\$1,000,000.
GARRISON FOREST PLAZA	115,000 sq.ft. shopping center with 22 tenants	\$3,000,000.
CARNEY VILLAGE*	55,000 sq.ft. shopping center with 9 tenants.	\$1,800,000.

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October 1, 1979

PROJECT NAME	DESCRIPTION	APPROXIMATE FAIR MARKET VALUE
<b>Commercial: (Cont.)</b>		
TRED AVON SQUARE*	Phase I - 72,200 sq.ft. shopping center with 18 tenants	\$2,500,000.
	Phase II - 55,500 sq.ft. shopping center with 10 tenants	\$2,500,000.
	Plus Additional 12 ac.±	500,000.
SCOTT ADAM VILLAGE*	6,100 sq.ft. retail building with 4 tenants	\$ 275,000.
KENILWORTH BAZAAR*	166,000 sq.ft. enclosed mall shopping center	\$7,500,000.
RUSTY SCUPPER*	9,600 sq.ft. Restaurant	\$1,200,000.
<b>Industrial:</b>		
SHAMROCK BUILDING*	28,000 sq.ft. industrial building with 7 tenants	\$ 425,000.
THE CROKER BUILDING	22,000 sq.ft. industrial building with 4 tenants	\$ 500,000.
<b>Office Buildings:</b>		
MACKENZIE BUILD'NG*	21,720 sq.ft. Multi-Tenant Suburban 2 story professional office building	\$ 950,000.
CENTRAL SAVINGS BANK BLDG. (Severna Park)	2 story Bank and Office Building with 6 tenants - 8,856 sq.ft.	\$ 375,000.
232 COCKEYSVILLE RD.*	6,900 sq.ft. 1-story Office Building on 1 acre	\$ 300,000.
609 BOSLEY BLDG.*	3,400 sq.ft. 2½ Story Office Building	\$ 225,000.
THE BERKSHIRE BUILDING*	4,600 sq.ft. 2-story Office Building	\$ 225,000.
GREEN SPRING VILLAGE*	18,880 sq.ft. Professional Bldg.	\$ 950,000.
THE BOSLEY BUILDING*	5 story Office Building approximately 24,800 net rentable square feet	\$1,500,000.

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October 1, 1979

PROJECT NAME	DESCRIPTION	APPROXIMATE FAIR MARKET VALUE
<b>Miscellaneous</b>		
PADONIA RACQUETBALL COURT*	8 Court Racquetball Bldg.	\$ 500,000.
Presently, Mr. MacKenzie has the following projects which are either in the advanced planning stages or are underway. All of these projects are commercial in nature:		
1823 NORTH YORK ROAD*	5,000 sq.ft. Office Building consisting of converted house and new addition	\$ 230,000.
1526 NORTH YORK ROAD*	Nichi Bei Kai Restaurant on approximately 1/2 acre	\$ 325,000.
658 KENILWORTH DRIVE	24,900 sq.ft. 2-story elevator Office Building in Towson	\$1,200,000.
8422 BELLONA LANE	23,000 sq.ft. 2½-story Office Building facing Beltway	\$1,200,000
7402 YORK ROAD	22,152 sq.ft. 2½-story Office Building just north of Stevenson Lane	\$1,200,000

\*NOTE: Mr. MacKenzie still retains his percentage of ownership in those marked with an \*.

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October 1, 1979

PAST ACHIEVEMENTS:

Past President 1969-1971 Central  
Baltimore County Chamber of Commerce.

As Appraiser and Consultant, Mr. MacKenzie has completed over 750 appraisals in the past 15 years with combined appraisal value exceeding \$350,000,000.00. These include appraisals for:

Baltimore County Board of Education  
Baltimore County Revenue Authority  
Baltimore County Bureau of Land Acquisition  
Baltimore County Solicitor's Office  
Baltimore Gas & Electric Company  
Baltimore Life Insurance Company  
Bendix Corporation  
Chesapeake National Bank  
Circuit Court of Baltimore County  
County Appraisers, Inc.  
Department of Law - State of Maryland  
Department of Public Improvements - State of Maryland  
Getty Oil Company  
Goucher College  
Martin-Marietta Company  
Maryland State Highway Administration  
Mobil Oil Corporation  
Office of Law - Anne Arundel County  
Real Estate Department of Balto. City  
Relisterstown Federal Savings and Loan Association  
Shell Oil Company  
Toll Facilities Division, Maryland State Highway Administration  
Attorneys and Landowners

BUSINESS ASSOCIATIONS:

MacKenzie & Associates, Inc., President  
Baltimore County Appraiser's Society  
Senior Residential Appraiser - Society of Real Estate Appraisers  
Licensed Real Estate Broker - State of Maryland  
Real Estate Board of Greater Baltimore  
Past Member - Board of Directors  
Past Chairman - Baltimore County Division  
National Association of Real Estate Boards  
National Institute of Real Estate Brokers  
Maryland Association of Real Estate Boards  
American Right of Way Assoc., Chap. No. 14  
Central Baltimore County Chamber of Commerce

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October 1, 1979

BUSINESS REFERENCES:

J. Stevenson Peck, Chairman of the Board  
The Union Trust Company of Maryland

Francis G. Riggs, Vice President  
Riggs, Counselman, Michaels & Downes

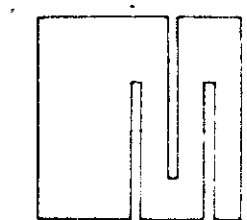
John White, Senior Vice President  
The Baltimore Life Insurance Company

Alvin Wolpoff, C.P.A.  
Wolpoff & Company

John A. Luetkemeyer, Jr.  
President  
Continental Realty

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October 1, 1979



MacKenzie & Associates Inc.

President  
CLARK F. MACKENZIE

Vice Presidents  
GARY T. GILL  
DAVID R. HORN

Assistant Vice President  
JOHN F. EYRING III  
Consulting Engineer  
GEORGE A. REIER

August 21, 1980

R. Bruce Alderman, Esquire  
White, Mindel, Clarke & Hill  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Charles F. Roberts Property  
E/s Beaver Dam Road  
Case #81-39-A  
Petition for Variances before  
the Zoning Commissioner of Balto.  
County

Dear Mr. Alderman:

In an effort to set forth various facts concerning the above-referenced property in preparation for the Zoning Hearing, I thought it advisable to put together a brief report that you may wish to use in presenting testimony at the Hearing.

LOCATION OF PROPERTY:

The subject tract is located on the East side of Beaver Dam Road approximately 200 feet south of the intersection of Beaver Dam Road and Cockeysville Road in the 8th Election District, Baltimore County, Maryland. It is further noted as Parcel 251 as shown on Tax Map 51 prepared by the State Department of Assessments and Taxation.

SIZE OF PROPERTY:

The subject tract measures 50' x 125' and contains 6,250 square feet, or 0.1435 acres±.

ZONING:

ML-1M

REALTORS • DEVELOPERS • CONSULTANTS  
Green Spring Village Professional Building  
10807 Falls Rd., Lutherville, Md. 21093  
(301) 821-8585

Pet Exh 2

R. Bruce Alderman, Esquire  
August 21, 1980  
Page Two

UTILITIES:

The subject site is served by complement of metropolitan utilities, including a 16" water line in Beaver Dam Road, 8" sanitary sewer line in Beaver Dam Road, 24" storm drain in Beaver Dam Road, with electricity and telephone services also available to the subject site.

ASSESSMENT DATA:

See Schedule "A" attached hereto.

HISTORY OF PROPERTY:

For over a year I have been looking for a small site in the Cockeysville Road-Beaver Dam Road area to erect additional offices to serve what I believe is strong demand for office uses which cannot be properly served by the Hunt Valley Business Community. Rental rates charged by Hunt Valley are such that any small service-oriented office uses cannot afford the rent structure and, therefore, seek offices in other buildings as close as possible to Hunt Valley. Recently, I have constructed two small office buildings within 1,000 yards of the subject site and to date have experienced 100% occupancy and excellent demand for such space. One of my associates discovered this small site approximately 9 months ago, and in February I entered into contract to purchase the tract of ground from Mr. Charles E. Roberts. A check of the Land Records indicates that Mr. Roberts and his wife purchased the property in 1944. Over the years through a number of out-conveyances, what was once a 116 acre parcel reduced in size to the subject tract. Most of the surrounding property owned by Mr. Roberts has now been developed as J & S Industrial Park and supports large industrial buildings. Until recently, the subject tract was improved by a small dwelling. However, the widening of Beaver Dam Road resulted in the raising of said building and, as a result, the site is presently unimproved.



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